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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**
12

13 CITY and COUNTY of SAN FRANCISCO,

14 Plaintiff,

15 v.

16 CITY of OAKLAND and PORT OF OAKLAND,

17 Defendants.
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Case No. 3:24-cv-02311-TSH

**DEFENDANT CITY OF OAKLAND'S
NOTICE OF MOTION AND MOTION
FOR SUMMARY JUDGMENT**

Date: December 5, 2024

Time: 10 a.m.

Courtroom: E – 15th Floor

NOTICE OF MOTION AND MOTION TO DISMISS

PLEASE TAKE NOTICE that on December 5, 2024, at 10 a.m., or as soon thereafter as the matter may be heard, in the United States District Court, Northern District of California, Courtroom E, 15th Fl., at the San Francisco Courthouse, 450 Golden Gate Ave., San Francisco, California, 94102, before the Honorable Magistrate Judge Thomas S. Hixson, Defendant City of Oakland will move the Court for an order dismissing Plaintiff City and County of San Francisco's First, Second, and Third Causes of Action for lack of dispute as to any material fact under Rule 56(a) Federal Rules of Civil Procedure. This motion is based on this Notice of Motion and Motion, the accompanying Memorandum of Points and Authorities, the Request for Judicial Notice and the other documents filed in connection with this motion, any records or documents on file in this action, and any other written or oral argument as may be presented to the Court.

RELIEF SOUGHT

Defendant City of Oakland seeks an order dismissing Plaintiff's First, Second, and Third Causes of Action against the City for lack of dispute as to any material fact under Federal Rule of Civil Procedure 56(a).

Dated: October 30, 2024

BARBARA J. PARKER, City Attorney

By:



Christina Lum, Deputy City Attorney
Attorneys for Defendant,
CITY OF OAKLAND